

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steven A. Benner
Title: A Method for Selecting Functional Deoxyribonucleotide Derivatives
Serial number: 09/415,966
Filing date: October 12, 1999
Art Unit 1655
Examiner: Lisa Arthur

HON. COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON CD 20231

November 20, 2001

Sir:

I am in receipt of the attached Office Communication which says that the amendment to the above-cited application, filed October 4, 2001, does not include "a clean version of the amended claims".

Unfortunately, the Communication does not state why the amendment is not "clean" (is coffee spilled on it?), what needs to be done to place it in compliance, or when this must be done. Further, although the Notice said that an "informational flyer" was enclosed, no such flyer in fact accompanied the Notice.

I finally reached Mr. Parks by telephone a few minutes ago. As I understand it, what is desired is a copy of the amendment lacking the square brackets and underlines.

Please find enclose this "clean" amendment.

If the PTO determines again that this amendment is not in compliance, the Applicant would be most appreciate if the appropriate representative of the PTO would so inform him, with a detailed explanation as to why this determination was made.

This is a certified statement that the enclosed documents contain no new matter.

This is a verified statement that the Applicant is a "small entity" as defined by 37 CFR. Please apply any appropriate charges or make any credits to a Deposit Account (Number 02-2055) in the Applicant's name.

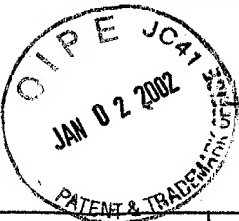
I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, 1.56(a). I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56(a) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application.

Sincerely yours,

Steven A. Benner
1501 NW 68th Terrace, Gainesville, Florida 32605-4147
Tel: (352) 392 7773 (cell) (352) 219 3570, Fax: (352) 331 0462 email: sab@chem.ufl.edu



1655/B
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**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
097415,965	10/12/99	BENNER	

STEVEN A. BENNER
1501 N.W. 68TH TERRACE
GAINESVILLE FL 32605-4117

HMB27/1020

EXAMINER ARTHUR, L

ART UNIT 1555	PAPER NUMBER
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DATE MAILED: 10/20/01

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



UNITED STATES PATENT AND TRADEMARK OFFICE

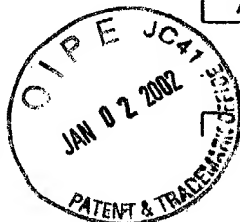
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APPLICATION NO.

FILING DATE

FIRST NAMED INVENTOR

ATTORNEY DOCKET NO.



EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED:

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 10/4/07 is considered non-compliant because it has not been submitted in the format required under 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000).

- ☐ 1. The amendment does not include a clean version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(ii).
- ☐ 2. The amendment does not include a marked-up version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(iii).
- ☒ 3. The amendment does not include a clean version of the amended claim(s). 37 CFR 1.121(c)(1)(i).
- ☐ 4. The amendment does not include a marked-up version of the amended claim(s). 37 CFR 1.121(c)(1)(ii).
- ☐ 5. Other _____

- ☐ **PRELIMINARY AMENDMENT:** Unless applicant re-submits the preliminary amendment in compliance with revised 37 CFR 1.121 within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

- ☐ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

For your convenience, attached to this correspondence is a copy of an informational flyer (MPEP Bookmark Bulletin on "Simplified Amendment Practice").

Tony D. Parks
Legal Instruments Examiner
7/305-0614

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